

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

LARRY MORRISON, Reg. No. 43820-112,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:18cv39-WHA
)	[WO]
AMANDA HUGHES, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION AND ORDER

Plaintiff, a federal inmate, filed this *pro se Bivens* action¹ action alleging violations of his constitutional rights arising from his participation in and removal from the Residential Drug Abuse Program (“RDAP”) program at the Federal Prison Camp in Montgomery, Alabama (“FPC Montgomery”). Plaintiff also filed in this case a Motion for Summary Judgment (Doc. # 28) and Motion for Default Judgment (Doc. # 29) both based on the failure of the defendants named in his amended complaint to file an answer. This case is now before the court on the October 30, 2018 Recommendation of the Magistrate Judge that Plaintiff’s Motion for Summary Judgment and Motion for Default Judgment be denied. Doc. # 34. There are no objections to the Magistrate Judge’s Recommendation. Upon an independent and *de novo* review of the record, it is ORDERED as follows:

(1) The Magistrate Judge’s Recommendation (Doc. # 34) is ADOPTED.

¹ *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971).

(2) Plaintiff's Motion For Summary Judgment (Doc. # 28) and Motion for Default Judgment (Doc. # 29) are DENIED.

It is further ORDERED that this case is referred back to the Magistrate Judge for further proceedings.

DONE this 29th day of January, 2019.

/s/ W. Harold Albritton, III
SENIOR UNITED STATES DISTRICT JUDGE